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DOJ

2003 JUN -3 P 12:49

23 May 2003

Docket Management System
US Department of Transportation,
Room Plaza 401
400 Seventh Street, SW
Washington DC, 20590-0001

FAA Advisory Committee comments for consideration; reference: docket # FAA-2002-13923- 48

Electronic News Gathering (ENG) using rotorcraft assets have long been a source of confusion and differing FAA guidance. Specifically the rules regarding PART 91 vs. Part 135 and where ENG operations fall.

Helicopters INC is the largest ENG company in the US, operating in 24 separate cities from coast to coast. We have received conflicting guidance from different FAA regions as to how a typical ENG flight is classified. Needless to say the implications are far reaching. Our record keeping, pilot flight hour limitations and administrative requirements differ drastically depending on the classification.

We have been in contact with William Wallace at FAA Headquarters, and he has given us verbal guidance however to date has not been able to show us specific regulations to support the guidance.

The result is that some ENG operators choose to operate under Part 91, thereby easing their administrative burden while others operate as Part 135 to error on the safe side. It would be helpful if the FAA would address the question and provide written guidance that would put all ENG operators on equal footing.

Guidance from William Wallace, National Resource Specialist for Rotorcraft Operations; (202) 267-3771, FAA Headquarters:

1. ENG operations are not considered Aerial Photography. (no reference given)
2. If we provide the pilot and aircraft, and the cameraman or news reporter, which is provided by the news station, accompanies the pilot on a non-stop flight that flight **could** be considered Part 91.
3. If the flight in # 2 stops for any reason it becomes Part 135.

We are not trying to take short cuts; we just would like a standardized answer from the FAA that we can then use throughout our operations. Any further questions regarding this matter can be addressed to the undersigned at (618) 337-2903.

Thank-you for your help

A handwritten signature in black ink, appearing to read "Marc Blair". The signature is written in a cursive, flowing style.

Marc Blair
Training Records Manager
Helicopters INC